

REMARKS/ARGUMENTS

Claims 1-8 and 11-23 are pending in the application, as claims 9 and 10 have been canceled without prejudice. In the Office Action, claims 19-23 were objected to because of an informality. Applicants note that the term “bezel” is commonly used in the art of mobile communication devices, particularly when referring to housing portions of such devices, and Applicants do not believe correction is required here. Also in the Office Action, claims 1, 2, 5, 6 and 9 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,61,191 to Holmberg (Holmberg). Claims 3, 4, 7, 8 and 12-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Holmberg in view of U.S. Patent No. 6,978,123 to Fuhrmann, et al. (Fuhrmann). Finally, claims 10 and 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Holmberg in view of prior art of Holmberg.

Independent claim 1 has been amended by incorporating the limitations of dependent claim 10 therein. Independent claims 13 and 19 have been similarly amended. As presently claimed, the communication device includes both low and high audio speakers in which the audio channel is associated with the low audio speaker. Applicants first note that the sound channels (7 or 20) (see FIGS. 1 or 2) of Holmberg are associated with high audio (see col. 3, lines 35-43). Moreover, while Holmberg does describe the use of both high and low audio speakers in prior art mobile phones (see col. 1, lines 23-27), Holmberg goes on to say that such a solution is undesirable, as it adds expense and complexity to mobile phones (see col. 1, lines 27-29). As such, Holmberg teaches away from adding a high audio speaker to its handset design. In fact, to add such a high audio speaker to Holmberg would defeat the very purpose

of Holmberg, which is to make use of an inexpensive sound directing element to direct high audio away from a speaker (see col. 2, lines 9-20). That is, adding a high audio speaker to the mobile device of Holmberg, as the Examiner has proposed, would obviate the need for the sound directing element of Holmberg and the advantages that such an element provides.

In view of the above, Applicants submit that the above claims are now patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

Date: February 19, 2008

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